

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
CHARLOTTE DIVISION  
3:08 MD 1932**

<b>IRENE GRACE,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	
	)	
<b>FAMILY DOLLAR STORES, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	

**THIS MATTER** is before the Court on the Court’s own motion. This motion relates to Defendant’s Motion for Summary Judgment and Memorandum in Support (Doc. No. 361); Plaintiff’s Response in Opposition (Doc. No. 446); and Defendant’s Reply (Doc. No. 475).

Plaintiff, Angela Cooper testified in her deposition and in her declaration that she worked between eighty and ninety hours per week. (Doc. No. 362, Cooper Dep. at 268:9-12; Doc. No. 446, Cooper Decl. ¶ 27.) Cooper also testified in her deposition that Family Dollar paid her \$520 per week and increased her salary to \$565, then to \$580, and ultimately \$623 per week. (*Id.* at 82, 97, 98.) The Court is without specific evidence, from Family Dollar’s employment records, to determine the number of hours Plaintiff worked per week and Plaintiff’s average salary per week. The Court requires this information in order to rule on the pending motion for summary judgment.

**THEREFORE**, Family Dollar is directed to supplement its Motion for Summary Judgment and produce the records and/or declaration regarding this information indicating how many hours Plaintiff worked per week during the relevant time period no later than ten (10) days

from the date of this Order.

**SO ORDERED.**

Signed: January 18, 2012

A handwritten signature in cursive script, reading "Graham C. Mullen", written over a horizontal line.

Graham C. Mullen  
United States District Judge

